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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,423

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Paul B. Moody

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07/18/2008

LOTUS AND RATIONAL SOFTWARE

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EXAMINER

NICKERSON, JEFFREY L

ART UNIT

PAPER NUMBER

2142

NOTIFICATION DATE

DELIVERY MODE

07/18/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dave@davedagg.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/762,423	<b>Applicant(s)</b> MOODY ET AL.	
	<b>Examiner</b> JEFFREY NICKERSON	<b>Art Unit</b> 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This communication is in response to Application No. 10/762,423 filed on 22 January 2004. The amendment presented on 21 May 2008, which cancels claims 10-29, and provides change to the drawings, specification, and claims 1-5 and 7-9, is hereby acknowledged. Claims 1-9 have been examined.

#### ***Drawings***

2. The replacement drawings in the amendment presented on 21 May 2008 are accepted. Changes in the drawings and specification are noted. All prior objections to the drawings are hereby withdrawn.

#### ***Specification***

3. The amendment presented on 21 May 2008 providing change to the specification is noted. All prior objections to the specification are hereby withdrawn.

#### ***Claim Objections***

4. The amendment presented on 21 May 2008 providing change to the claims is noted. All prior objections to the claims are hereby withdrawn. However, a new objection is being made.

5. Claim 4 is objected to because of the following informalities: incorrect grammar. Line 2 of this claims reads, "...comprises names application programs...", which is

grammatically incorrect and should be changed to "...comprises names of application programs...". Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

6. The amendment presented on 21 May 2008 cancelling claims 19-27 and 29 obviates the outstanding 35 USC 101 rejections, and they are hereby withdrawn.

***Response to Arguments***

7. Applicant's arguments filed 21 May 2008 have been fully considered and are persuasive.

Applicant argues that a limitation in claim 1, as amended, is not anticipated by Cohen et al (US 6,507,845 B1) and thus overcomes the outstanding 35 USC 102(b) rejection.

Independent claim 1

Applicant argues the following limitation: *"displaying, by said awareness client application process, in response to said detecting said selection of said awareness display object associated with said remote computer system user and said special icon by said local computer system user, said document access activity information regarding said remote computer system user in said user interface displayed on said local computer system"*.

Applicant's arguments are persuasive.

Dependent claims 2-9

Applicant argues the deficiencies of Cohen are not cured by either the teachings of Begole et al (US 2004/0039630 A1) or Galivn, JR. et al (US 2005/0138108 A1).

Applicant's arguments are persuasive.

Therefore, all outstanding 35 USC 102 and 103 rejections are hereby withdrawn. However, new rejections are being made.

***Claim Rejections - 35 USC § 103***

8. Claims 1-2 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al (US 2004/0172456 A1), and further in view of Cohen et al (US 6,507,845 B1).

Regarding claim 1, Green teaches a method for providing remote user activity to a local user, comprising:

obtaining, by an awareness client application process executing on a local computer system, from an awareness server application process executing on a server computer system, an online status of the said remote computer system user (Green: [0004]-[0005]; [0039] and [0044]);

displaying, by said awareness client application process, within a user interface displayed on said local computer system, an awareness object associated with said remote computer system user, wherein said awareness display object displays an identity (screen name) of said remote computer system user, wherein said awareness display object further includes a visual indication of said online status of said remote computer system user (Green: Figure 6; [0064]-[0066]; [0039]);

obtaining, by said awareness client application process on said local computer system, responsive to said displaying said awareness display object associated with said remote computer system user, awareness information regarding said remote computer system user (Green: Figure 6, item 606; [0068]-[0069]);

displaying, by said awareness client application process, a special icon in said user interface displayed on said local computer system (Green: Figure 6, item 606; [0068]);

detecting a selection of said awareness display object associated with said remote computer user and said special icon by said local computer system user (Green: Figure 6; [0069] provides for selecting by hovering the mouse cursor over the mail icon);

displaying, by said awareness client application process, in response to said detecting said selection of said awareness display object associated with said remote computer system user and said special icon by said local computer system user, said awareness information regarding said remote computer system user in said user interface displayed on said local computer system (Green: Figures 6 and 7; [0069] display information about the emails received and sent to this particular buddy).

Green does not teach wherein the awareness information is document access activity information, nor wherein said document access activity information includes the identity of a plurality of documents accessed by said remote computer system user.

Cohen, in a similar field of endeavor, teaches wherein the awareness information is document access activity information and wherein said document access activity information includes the identity of a plurality of documents accessed by said remote computer system user (Cohen: col 6, line 46 – col 7, line 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Cohen for including awareness information about document access activity. The teachings of Cohen, when implemented in the Green system, will allow one of ordinary skill in the art to incorporate document access activity into a buddy list. One of ordinary skill in the art would be motivated to utilize the teachings of Cohen in the Green system in order to increase the effectiveness of communication and awareness between buddies of a buddy list.

Regarding claim 2, the Green/Cohen system teaches wherein said document access activity information regarding said remote computer system user further comprises times at which each of said plurality of documents was accessed by said remote computer system user (Green: [0068] provides time and date information is maintained with corresponding awareness object about the respective awareness data; Cohen: Figure 16, item 232 depicts that each associated action by a user contains time information; col 8, lines 40-50 specifies the document history feature).

Regarding claim 7, the Green/Cohen system teaches further comprising:

presenting an interface to said local computer system user, wherein said interface enables said local computer system user to indicate whether any document access activity information regarding said local computer system user is to be shared with other users (Green: [0007]-[0014] provide the user of the local system defines if any awareness information is to be shared with other users; Cohen: col 6, line 46 - col 7, line 2 for wherein awareness information is document activity access information).

Regarding claim 8, the Green/Cohen system teaches further comprising:

presenting an interface to said local computer system user, wherein said interface enables said local computer system user to specify document access activity information regarding said local computer system user that is to be shared with other users (Green: [0007]-[0014] provide the user of the local system defines the awareness information shared with other users; Cohen: col 6, line 46 - col 7, line 2 for wherein awareness information is document activity access information; See also col 8, lines 40-50).

Regarding claim 9, the Green/Cohen system teaches further comprising:

presenting an interface to said local computer system user, wherein said interface enables aid local computer system user to specify one or more other users with which document access activity information regarding said local computer system



user is to be shared (Green: [0008]-[0011] provides the user can choose which buddies to share awareness information with; Cohen: col 6, line 46 – col 7, line 2 for wherein awareness information is document activity access information; See also col 8, line 51 – col 9, line 7).

9. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al (US 2004/0172456 A1), in view of Cohen et al (US 6,507,845 B1), and in further view of Begole et al (US

Regarding claim 3, the Green/Cohen system teaches wherein document access activity information further comprises activities by said remote computer system user to access each of said plurality of documents.

The Green/Cohen system does not teach wherein said document activity information further comprises numbers of keystrokes and mouse clicks.

Begole, in a similar field of endeavor, teaches wherein said document activity access information further comprises numbers of keystrokes and mouse clicks (Begole: [0060]-[0062] specifies that the rhythm service logs keystrokes and mouse clicks for particular applications).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Begole for monitoring and logging the keystrokes and mouse activity. The teachings of Begole, when implemented in the Green/Cohen system, will allow one of ordinary skill in the art to track, via an in depth

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logging, awareness information about documents. One of ordinary skill in the art would be motivated to utilize the teachings of Begole in the Green/Cohen system in order to create awareness about shared documents or user activities regarding documents and applications.

Regarding claim 4, the Green/Cohen/Begole system teaches wherein said document access activity information further comprises names of application programs used by said remote computer system user to access said plurality of documents (Begole: [0113] specifies that data is organized with respect as to which application is handling the activity).

Regarding claim 5, the Green/Cohen/Begole system teaches wherein said document access activity information further comprises actions performed during document accesses by said remote computer system user (Cohen: Figure 16, item 232 depicts the user actions being recorded and displayed; See also col 8, lines 40-50).

Regarding claim 6, the Green/Cohen/Begole system teaches wherein said presenting said document access activity information comprises presenting said document activity information in at least one pop-up display window (Cohen: Figure 16, item 232 depicts a pop-up window occurring over the UI; See also col 8, lines 17-38).

***Cited Pertinent Prior Art***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Greene et al (US 2003/0004774 A1) discloses using employee avatars that change in accordance with varying awareness information.
- b. Glenn et al (US 2002/0021307 A1) discloses system for utilizing presence information.
- c. Wynn et al (US 2004/0261013 A1) discloses collaboration workspaces with user profiles that contain awareness information.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY NICKERSON whose telephone number is (571)270-3631. The examiner can normally be reached on M-Th, 8:30-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. N./  
Jeffrey Nickerson  
Examiner, Art Unit 2142

/Andrew Caldwell/  
Supervisory Patent Examiner, Art Unit 2142